

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: May 16, 2008

Electronic Signature for Barbara A. Saltzman: /Barbara A. Saltzman/

Docket No.: 283-299
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert C. Gardiner

Application No.: 09/854,756

Confirmation No.: 8889

Filed: May 14, 2001

Art Unit: 2134

For: Portable Keying Device And Method

Examiner: E. C. Tran

COMMUNICATION TO RECORD SUBSTANCE OF INTERVIEW

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam:

INTRODUCTORY COMMENTS

Remarks begin on page 2 of this paper.

REMARKS

Applicant's representative, George S. Blasiak and Examiner Ellen Tran conducted a teleconference April 29, 2008 regarding a "Response to Rule 312 Communication" dated April 23, 2008 in which the Examiner indicated the substitute specification filed with the issue fee payment on April 8, 2008 would not be entered. During the teleconference of April 29, 2008, applicant's representative persuasively established that the subject matter of the substitute specification had support in the original application as filed May 14, 2001.

Accordingly, in view of the above remarks, applicants believe the present application to be in condition for issuance and respectfully request passage to issuance of the application.

If the Examiner believes that contact with applicant's attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call applicant's representative at the phone number listed below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Dated: May 16, 2008

Respectfully submitted,
Electronic signature: /George S. Blasiak/
George S. Blasiak
Registration No.: 37,283
Marjama Muldoon Blasiak & Sullivan LLP
250 South Clinton Street
Suite 300
Syracuse, New York 13202
(315) 425-9000
Customer No.: 20874

GSB/bs

<h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="font-size: small; margin: 5px 0;">(to be used for all correspondence after initial filing)</p>	Application Number	09/854,756	
	Filing Date	May 14, 2001	
	First Named Inventor	Robert C. Gardiner	
	Art Unit	2134	
	Examiner Name	E. C. Tran	
Total Number of Pages in This Submission	3	Attorney Docket Number	283-299

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication to Record Substance of Interview (2 pgs.)
<div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; margin-top: 5px;"></div> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MARJAMA MULDOON BLASIAK & SULLIVAN LLP		
Signature	/George S. Blasiak/		
Printed name	George S. Blasiak		
Date	May 16, 2008	Reg. No.	37,283

Transmittal	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: May 16, 2008	Electronic Signature for Barbara A. Saltzman: /Barbara A. Saltzman/